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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,255	12/28/2001	Kazutaka Maeda	111319.01	6179

7590 05/23/2006  
Oliff & Berridge, PLC  
PO Box 19928  
Alexandria, VA 22320

EXAMINER

TUGBANG, ANTHONY D

ART UNIT	PAPER NUMBER
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3729

DATE MAILED: 05/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary****Application No.**

10/029,255

**Applicant(s)**

MAEDA ET AL.

**Examiner**

A. Dexter Tugbang

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,6-11 and 14-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3 and 6-11 is/are allowed.
- 6) ☒ Claim(s) 14-17 and 19 is/are rejected.
- 7) ☒ Claim(s) 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☒ Certified copies of the priority documents have been received in Application No. 09/394,526.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The applicant(s) amendment filed on March 7, 2006 has been fully considered and made of record.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Claim Objections***

3. Claim 14 is objected to because of the following informalities: the phrase of "a tone end" (line 3) should be replaced with --at one end of--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. Claims 14-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohmi et al 5,266,858.

Ohmi discloses an apparatus comprising the following structure: a first means (inner jig 5 and outer jig 4) for holding conductor members; a second means (rack 7) for moving the first means in the circumferential direction of the stator; and a third means (ejection member with pins 13) for moving the first means in the axial direction of the stator (see col. 6, lines 33-38).

The second means 5 and the third means (ejection member with pins 13) are arranged to move the first means in a controlled manner in the axial direction.

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Regarding Claim(s) 15 and 16, Ohmi further teaches that the first means includes a first pair of twister cylinders (e.g. 4, 5) coaxially disposed with each other (see Fig. 2) where the structure of each pair is capable of rotating in a direction opposite to each other (see arrows in Fig. 2).

Regarding Claim(s) 17, Ohmi further shows that each pair of twister cylinder includes a plurality of holes (slots 4a and 5a in Fig. 4a) where the holes 4a of one twister cylinder 4 of the first pair is radially spaced apart from the holes 5a of the other twister cylinder 5 of the first pair.

***Claim Rejections - 35 USC § 103***

5. Claim 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohmi et al in view of Inoyama et al 4,041,294.

Ohmi discloses an apparatus as relied upon above.

Ohmi does not mention a controller capable of simultaneously controlling the second and third means.

However, the use of a “controller” to control the overall operations of the manufacturing apparatus of Ohmi, including the second and third means (i.e. rotating and elevating mechanisms) is well known in the art of manufacturing rotary electric machine stators. As evidence of obviousness, the examiner cites Inoyama et al which teaches the use of a controller with a control circuit for the purpose of having the manufacturing apparatus more automated saving man hours (see col. 1, lines 10-17 and lines 36-42).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the apparatus of Ohmi by including a controller, as taught by

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Inoyama, to positively allow the apparatus to perform more automated functions during manufacture.

***Response to Arguments***

6. The applicant(s) arguments filed on March 7, 2006 with respect to new Claims 14-17 and 19 have been fully considered to be met and inclusive by the new ground(s) of rejection set forth above.

***Allowable Subject Matter***

7. Claim 18 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter.

Regarding Claim(s) 18, the prior art does not teach all of the limitations of the claimed apparatus including structure that the first means further includes a second pair of twister cylinders coaxially disposed adjacent to the first pair twister cylinders at a second distance, with of the second pair of twister cylinders including a plurality of holes disposed circumferentially at equal intervals.

Moreover, it would not have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Ohmi by adding the structural features above because to do so would destroy the invention of Ohmi. The intent of the apparatus of Ohmi is to utilize a

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first means with only two twister cylinder and to use more twister cylinders would destroy the structure of the apparatus of Ohmi shown in Figure 3.

9. Claim 1, 3 and 6-11 are allowed.

### *Conclusion*

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

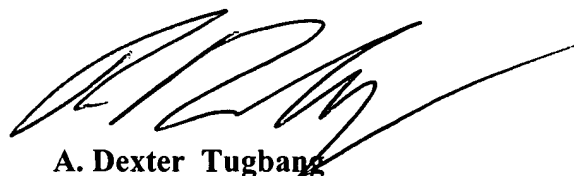
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to A. Dexter Tugbang whose telephone number is 571-272-4570. The examiner can normally be reached on Monday - Friday 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'A. Dexter Tugbang', with a long horizontal flourish extending to the right.

**A. Dexter Tugbang**  
**Primary Examiner**  
**Art Unit 3729**

May 18, 2006